

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44844 of 2019

Arising Out of PS. Case No.-86 Year-2018 Thana- DHURAIYA District- Banka

1. Nilesh Yadav @ Nilesh Kumar @ Yadav, Aged about 28 years, Male, Son of Rajendra Yadav Resident of Village Nayadih Majhauni, P.S. Rajaun, District- Banka.
2. B.M.P. Yadav @ M.P. Yadav, Aged about 25 years, Male, Son of Rajendra Yadav, Resident of Village Nayadih Majhauni, P.S. Rajaun, District- Banka.
3. Sanjeet Kumar @ Sanjit Yadav, Aged about 20 years, Male, Son of Rajendra Yadav, Resident of Village Nayadih Majhauni, P.S. Rajaun, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 22-07-2019 Heard both sides.

Petitioners apprehend their arrest in Dhoraiya P.S.

Case No.86 of 2018, registered under Sections 147, 148, 149,
341, 323, 353, 427, 504 and 506 of the Indian Penal Code.

The gist of the allegation is that the informant and other police officials seized the tractor of the petitioners and was bringing the same to the police station but the petitioners came and surrounded the police officials, abused the police officials and also tried to snatch the arms from the Constables. It is further alleged that the petitioners took away the seized tractor from possession of the police.



Learned counsel for the petitioners submits that the tractor of the petitioners is said to have been seized in connection with Dhoraiya P.S. Case No.207 of 2017. The tractor of the petitioners dashed against the electric pole. No seizure was made. The police lodged the case making false allegation but it appears that the informant made specific allegation that the tractor was seized and while they were bringing the tractor to the police station, the petitioners not only abused and scuffled with the police officials but also tried to snatch the arms from the Constables and took away the seized tractor.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

(Prabhat Kumar Jha, J)

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